

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

| | | |
|----------------------------------|---|------------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | No. 3:14-cr-42 |
| v. |) | Judges Jordan/Shirley |
| |) | |
| AARON JOHN CASHATT, |) | |
| |) | |
| Defendant. |) | |

AGREED PRELIMINARY ORDER OF FORFEITURE

On April 15, 2014, an Indictment was filed in the above-referenced case charging that defendant, AARON JOHN CASHATT, aided and abetted by others, did execute a scheme to commit access device fraud in violation of 18 U.S.C. § 1029 (Counts 2-4).

In the Forfeiture Allegations of the Indictment in the above-styled case, the United States sought forfeiture pursuant to 18 U.S.C. § 1029(c)(1)(C) of any personal property which was used or intended to be used to commit the offenses charged in the Indictment.

On October 6, 2014, a Plea Agreement was filed in the above-referenced case in which the defendant agreed to plead guilty to Counts One, Two, and Five of the Indictment and agreed to forfeit his interest in any and all assets and property, or portions thereof, which were used or intended to be used to commit a violation of 18 U.S.C. § 1029, and/or any and all assets and property, or portions thereof, subject to forfeiture as proceeds of the defendant's criminal activities. The property to be forfeited includes, but is not limited to, the following:

- a) Kyocera cell phone, Serial Number: 268435459916383066;
- b) Office Depot card reader, Serial Number: 00060600108011;
- c) Apple iPod 32GB, Serial Number: 9C902AX8208;

- d) Apple iPad, Serial Number: F4LRE2NF95;
- e) Dell Inspiron Laptop, Serial Number: CN-OKD882-48643-6BD-2295;
- f) AT&T Sony Ericsson Xperia Cell Phone, Serial Number: 35226805-104857-4;
- g) 2 thumb drives removed from key ring;
- h) Swiss laptop bag;
- i) various computer cables;
- j) 2 wallets, one black and one red;
- k) CD holder case containing various computer software CDs;
- l) Sentry safe, Serial Number: PL048EF0630077308;
- m) Bamboo Pen and Touch Model CTH-670, Serial Number: 2HAP008351;
- n) Samsung Cell Phone Meid Hex: A0000030B719F5;
- o) T-Mobile cell phone IMEI: 863854010367007;
- p) My Touch Cell Phone, Serial Number: C5Z7NC9352501205;
- q) Canon Ixus 130 Camera, Serial Number: 093164005390;
- r) Apple iPhone, Model Number A1349;
- s) 3 various size memory cards;
- t) Square brand card reader;
- u) Kensington Brand stylus & laser pointer;
- v) gray and black thumb drive;
- w) purple wireless computer mouse;
- x) black wireless computer mouse;
- y) Acer computer keyboard;
- z) black box marked "Nexus Charger/Info" containing one charger cable;

- aa) white computer power cable;
- bb) Logitech computer keyboard;
- cc) Whistler Inspection Camera and Video Monitor with Hard Shell Carrying Case, Monitor Serial Number 3709PX71214976;
- dd) Epson Printer, Model Number C471A, Serial Number: QKEY281639;
- ee) Dell Latitude E5410 Laptop Computer with the name "Tyler" printed on top, Service Tag Number: HD36XM;
- ff) Lenovo T410 ThinkPad, Serial Number: R8-Z3W18 11/03;
- gg) MacBook Air, Model #A1466EMC2559, Serial Number: C2QJC071F56D with power cord;
- hh) Motorola Cell Phone, Model Number: XT912, FCCID Number: IHDP56ME1;
- ii) Easy Idea MiniLam 450T Laminator;
- jj) Boogie Board, Model Number: WT12093, Serial Number: A0011212030614;
- kk) Linksys T-Mobile Hot Spot Wireless Broadband Router, Model #WRTU54G-TM;
- ll) Asus O Play Air HDP-R3 Video Device;
- mm) Toshiba Automatic Backup Portable Drive, Serial Number: 8231SCM5SSX3;
- nn) USB 2.4G wireless receiver;
- oo) micro camera;
- pp) Toshiba storage case, Serial Number: Y2KVT9RKTTV2;
- qq) Targus High Speed Micro SD card reader/writer keychain with key attached;
- rr) Fellowes Cosmic 2 95 laminator;
- ss) black bag containing various supplies;

- tt) Western Digital 2500 External Hard Drive, Serial Number: WXE607560607;
- uu) internal computer component;
- vv) Digital photo viewer keychain;
- ww) SIM information card for AT&T GoPhone;
- xx) black bag containing laminating materials;
- yy) 7 miscellaneous batteries;
- zz) 2 miscellaneous adapters;
- aaa) Samsung Cell Phone, Model #SCH-R530C;
- bbb) PayAnywhere Secure Encrypted Reader;
- ccc) Square Card Reader;
- ddd) 2 SIM cards;
- eee) 1 Micro SD card;
- fff) 2 SD memory cards;
- ggg) 3 SD adapters;
- hhh) Sony Cyber-Shot DSC-W690 digital camera;
- iii) Indala Flexkey Proximity key fob;
- jjj) 25 various USB flash memory drives found in a black box with key;
- kkk) black box containing a screwdriver, key and 2 adapters;
- lll) miscellaneous external hard drive identified as "WD;"
- mmm) Garmin watch black in color;
- nnn) G-Shock watch white in color;
- ooo) HTC Phone cellular battery in packaging;

- ppp) 2 miscellaneous pocket knives black in color;
- qqq) silver & black bracelet;
- rrr) 7 miscellaneous key chains;
- sss) 3 miscellaneous key chain straps;
- ttt) bag containing watch batteries;
- uuu) 3 cell phone batteries;
- vvv) I-Wireless gift card number 7815594974535 in the amount of \$25.00;
- www) Black wallet;
- xxx) Magnetic Stripe Credit Card Swipe Reader, Model MSR100, Serial Number: 201301210275;
- yyy) USB cord;
- zzz) MSR605 Magnetic Card Reader Encoder Stripe Swipe Credit Magstripe, Serial Number: A61105154;
- aaaa) AC/DC adapter model number ZF120A-2402500;
- bbbb) Acer Aspire One, Serial Number: LUSG40D1191460201A7600, red in color;
- cccc) Electronic device bearing Model 2560R3 concealed inside black sunglass case;
- dddd) PNY 32 GB Thumb Drive;
- eeee) PNY 16 GB Thumb Drive;
- ffff) SanDisk Card Reader (Micro); and
- gggg) generic metal key-ring

On October 15, 2014, this Court accepted the guilty plea of defendant, AARON JOHN CASHATT, and by virtue of the guilty plea and conviction, the Court determined that the property identified above was subject to forfeiture pursuant to 18 U.S.C. §§ 982(a)(2)(B) and

1029(c)(1)(C), and that the United States has established the requisite nexus between the property and the offenses. Further the United States is now entitled to seize the property, pursuant to 21 U.S.C. § 853(e) and (f), as incorporated by 18 U.S.C. § 982(b)(1), and Rule 32.2(b) of the Federal Rules of Criminal Procedure.

Accordingly, it is hereby ORDERED, ADJUDGED AND DECREED:

1. That based upon the conviction of defendant, AARON JOHN CASHATT, for an offense in violations of 18 U.S.C. § 1029, the United States is hereby authorized to seize the following items and the same are forfeited to the United States for disposition in accordance with law, pursuant to 21 U.S.C. § 853(e) and (f), as incorporated by 18 U.S.C. § 982(b)(1), and Rule 32.2(b) of the Federal Rules of Criminal Procedure:

- a) Kyocera cell phone, Serial Number: 268435459916383066;
- b) Office Depot card reader, Serial Number: 00060600108011;
- c) Apple iPod 32GB, Serial Number: 9C902AX8208;
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- g) 2 thumb drives removed from key ring;
- h) Swiss laptop bag;
- i) various computer cables;
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- dddd) PNY 32 GB Thumb Drive;
- eeee) PNY 16 GB Thumb Drive;
- ffff) SanDisk Card Reader (Micro); and
- gggg) generic metal key-ring

2. That the aforementioned forfeited properties are to be held by the United States Secret Service or its designated agency in its secure custody and control.

3. Pursuant to Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the United States hereby gives notice of its intent to dispose of the forfeited properties in such a manner as the Attorney General may direct. Any person other than the defendant, having or claiming a legal interest in any of the above-listed forfeited properties must file a petition with the Court within sixty (60) days from the first day of publication of this Notice on the official United States Government internet website, which is www.forfeiture.gov.

4. The notice shall also state that the petition for a hearing to adjudicate the validity of the petitioner's alleged interest in the properties shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the properties, the time and circumstances of the petitioner's acquisition of the right, title and interest

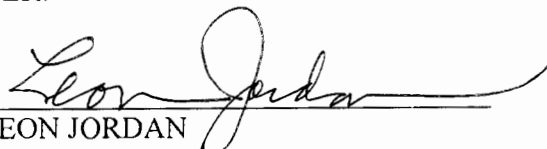
in the properties and any additional facts supporting the petitioner's claim and the relief sought. The United States may also, to the extent practicable, provide direct written notice to any person, as a substitute for published notice as to those persons so notified.

5. That upon adjudication of all other or third-party interests in the properties, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), 18 U.S.C. §§ 982(a)(2)(B) and 1029(c)(1)(C), in which all interests will be addressed.

6. That the Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Rule 32.2(e), Federal Rules of Criminal Procedure.

7. That the Clerk of this Court shall provide certified copies of this Order to the United States Attorney's Office, Knoxville, Tennessee.

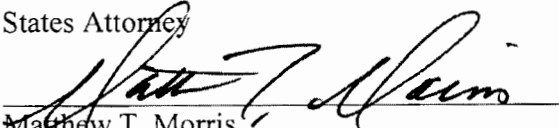
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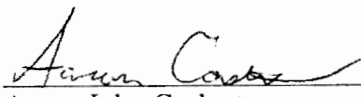

R. LEON JORDAN
UNITED STATES DISTRICT JUDGE


Submitted by:

WILLIAM C. KILLIAN
United States Attorney

By:


Matthew T. Morris
Assistant United States Attorney


Aaron John Cashatt
Defendant


Mike Whalen
Attorney for Defendant